

A091 (Rev. 8/01) Criminal Complaint

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS**

United States Courts  
Southern District of Texas  
FILED

JAN 27 2018

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

V.

Richard John Welsh

**CRIMINAL COMPLAINT**

Case Number: 2:18mj108

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about January 26, 2018 in Brooks County, in the Southern District of Texas defendant, Richard John Welsh

did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

in violation of Title 8 United States Code, Section(s) 1324  
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:  
Official Title

See Attached Affidavit of U.S. Border Patrol Agent

**Jaime Trevino**

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Sworn to before me and signed in my presence, and probable cause found on the:

January 27, 2018

Date

B. Janice Ellington U.S. Magistrate Judge

Name and Title of Judicial Officer

at

Jaime Trevino

Signature of Complainant

**Jaime Trevino**

Printed Name of Complainant

Corpus Christi, Texas

City and State

[Signature]

Signature of Judicial Officer

## AFFIDAVIT

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information relayed to me by other agents and officers participating in the investigation.

### **FACTS/PROBABLE CAUSE:**

On January 26, 2018, Border Patrol Agent (BPA) Santiago Flores was assigned primary immigration inspection duties at the United States Border Patrol Checkpoint located 13 miles south of Falfurrias, Texas on Highway 281.

At approximately 6:00 a.m., a white 2005 Chrysler Town & County van stopped at the primary inspection lane with one visible occupant. BPA Flores asked the driver, later identified as Richard John WELSH, if he was a United States citizen and WELSH replied "Yes". BPA Flores asked WELSH where he was coming from and he replied "Reynosa". BPA Flores observed a shape resembling a human being covered by a blue blanket in the rear cargo area. BPA Flores asked WELSH what he had underneath the blanket and with a surprised expression (opened eyes wider) WELSH replied, "Nothing". Due to WELSH's physical expression, BPA Flores asked WELSH if he would grant consent for Agents to search the vehicle and consent was granted. WELSH was then directed to secondary for further inspection.

Once in the secondary inspection area, Supervisory Border Patrol Agent F. Garza Jr. and BPA H. Chavez searched the cargo area, and a male subject was found concealed underneath a blanket in the rear cargo area. The male subject (Jose Luis RAZO-Ruiz) was determined to be a citizen and national of Mexico without any documentation that would allow him to enter or remain in the United States legally. Both WELSH and RAZO were placed under and escorted into the checkpoint for processing.

### **MIRANDA RIGHTS:**

Richard John WELSH and Jose Luis RAZO-Ruiz were each read their Miranda Rights in their preferred language and signed accordingly. Subjects agreed to provide a video sworn statement without a lawyer present.

**PRINCIPAL STATEMENT: (Synopsis of Video Statement)** Richard John WELSH WELSH stated he loaded the illegal alien (Jose Luis RAZO-Ruiz) in Reynosa, Mexico. WELSH stated after loading him up, he crossed the Hidalgo Port of Entry and didn't make any other stops until reaching the checkpoint. WELSH stated he was going to be paid \$3,000.00 USD once he arrived at his destination. WELSH admitted that he had already been paid \$2,000.00 USD in advance and that he was going to receive the remaining \$1,000.00 USD once he arrived at his destination. WELSH stated he was going to take Jose Luis RAZO-Ruiz to Houston, Texas. WELSH stated that he had previously been successful in smuggling aliens over 50 times.


**Note:** \$2,020 USD and \$120 MXN were found in WELSH's possession during a search incident to arrest.

**MATERIAL WITNESS: (Synopsis of Video Statement) Jose Luis RAZO-Ruiz**

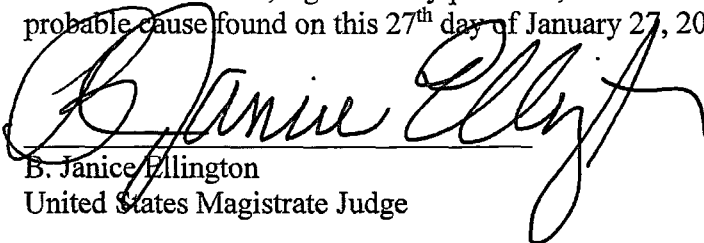
RAZO stated he was housed for eight days in an unknown location in Reynosa, Mexico. RAZO stated when the van arrived at the stash house in Reynosa, a man with a black cap, mustache and normal height told him to get in. RAZO identified the man as a white man with a black cap on and could tell by his Spanish he was not a native speaker. RAZO was instructed to get in and then everything else was put in and around him. Subject stated he never felt the van stop until arriving at the checkpoint. Subject stated he was ultimately going to Los Angeles, California.

**DISPOSITION:**

The case was presented to AUSA Elsa Salinas, who accepted prosecutions of Richard John WELSH for 8 USC 1324 Alien Smuggling. Jose Luis RAZO-Ruiz will be held as a material witness in this case.

  
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Jaime Trevino  
Border Patrol Agent

Sworn to before me, signed in my presence, and  
probable cause found on this 27<sup>th</sup> day of January 27, 2018.

  
\_\_\_\_\_  
B. Janice Ellington  
United States Magistrate Judge